

1 WRIGHT, FINLAY & ZAK, LLP

2 Robert A. Riether, Esq.

3 Nevada Bar No. 12076

4 8337 W. Sunset Road, Suite 220

5 Las Vegas, NV 89113

6 (702) 475-7964; Fax: (702) 946-1345

7 riether@wrightlegal.net

8 *Attorney for Defendant, Sallie Mae Bank, incorrectly identified as "Sallie Mae"*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 EDALIA SULLIVAN,

12 Plaintiff,

13 vs.

14 TRANS UNION LLC; EXPERIAN
15 INFORMATION SOLUTIONS, INC.;
16 INNOVIS DATA SOLUTIONS, INC.;
17 CLARITY SERVICES, INC.;
18 BACKGROUNDCHECKS.COM LLC; and
19 SALLIE MAE,

20 Defendants.

Case No.: 2:24-cv-02299-MDC

**STIPULATION AND ORDER TO STAY
DISCOVERY PENDING DECISIONS ON
PENDING MOTIONS TO DISMISS
[ECF NOS. 22 AND 32]**

21 IT IS HEREBY STIPULATED between Plaintiff Edalia Sullivan ("Plaintiff"), Defendant Sallie
22 Mae Bank, incorrectly identified in Plaintiff's Complaint as "Sallie Mae" ("SMB"), and Defendant
23 Trans Union, LLC ("Trans Union") (collectively, the "Parties"), by and through their undersigned
24 counsel of record, as follows:

25 On December 11, 2024, Plaintiff filed the original Complaint. (ECF No. 1.) Shortly thereafter on
26 December 18, 2024, Plaintiff filed the First Amended Complaint. (ECF No. 9.) On February 13, 2025,
27 SMB filed a motion to dismiss the Amended Complaint. (ECF No. 22.) SMB's motion to dismiss is
28 fully briefed. (ECF Nos. 26, 29.)

Between December 18, 2024 and February 27, 2025, Plaintiff dismissed all defendants except for
Trans Union and SMB. (See ECF Nos. 12, 13, 17, 18, 24, and 25.) Then, on April 4, 2025, Plaintiff filed
a motion to dismiss Trans Union from the action. (ECF No. 32.) On April 24, 2025, Trans Union filed
non-opposition to Plaintiff's motion to dismiss Trans Union. (ECF No. 34.)

Due to the two pending motions to dismiss, the Parties stipulate and agree to stay discovery pending the Court's decisions on the motions to dismiss. The Parties submit that the factors in *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 602 (D. Nev. 2011), weigh in favor of a stay of discovery. A ruling in Plaintiff's favor on its motion to dismiss Trans Union, which was unopposed, will leave SMB as the sole remaining defendant. Additionally, a ruling in SMB's favor on its pending motion to dismiss the Amended Complaint will be case-dispositive and can be decided without the need for additional discovery. Accordingly, in the interests of judicial economy and as permitted by Fed. R. Civ. P. 1, the Parties stipulate and agree that discovery should be stayed pending decisions on the motions to dismiss.

The Parties further stipulate and agree that, in the event the pending motions to dismiss are denied in whole or in part, the stay shall be automatically lifted and the Parties shall submit an updated proposed Discovery Plan and Scheduling Order within 21 days after entry of the Court's decisions on the motions to dismiss.

IT IS SO STIPULATED.

FREEDOM LAW FIRM

/s/ Gerardo Avalos

George Haines, Esq.
Nevada Bar No. 9411
Gerardo Avalos, Esq.
Nevada Bar No. 15171
8985 S. Eastern Avenue, Suite 100
Las Vegas, Nevada 89123
Attorney for Plaintiff Edalia Sullivan

WRIGHT, FINLAY & ZAK, LLP

/s/ Robert A. Riether

Robert A. Riether, Esq.
Nevada Bar No. 12076
8337 W. Sunset Road, Suite 220
Las Vegas, NV 89113
*Attorney for Defendant Sallie Mae Bank,
incorrectly identified in Plaintiff's Complaint as
"Sallie Mae"*

SKANE MILLS LLP

/s/ Sarai L. Brown

Sarai L. Brown, Esq.
Nevada Bar No. 11067
1120 Town Center Drive, Suite 200
Las Vegas, Nevada 89144
Attorney for Defendant Trans Union LLC

IT IS SO ORDERED.



Hon. Maximiliano D. Couvillier III
United States Magistrate Judge
Date: 5/13/2025